

Notice of Allowability

Application No.

10/554,228

Examiner

Phillip A. Johnston

Applicant(s)

MEWISSEN ET AL.

Art Unit

2881

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 6-5-2007.
2. ☒ The allowed claim(s) is/are 5-15.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


DAVID VANORE
PRIMARY PATENT EXAMINER

Detailed Action

1. This action is in response to the amendment filed 6-5-2007, wherein claims 1-5 were amended; and new claims 6-15 were added. Claims 1-15 are pending.

Examiners Amendment

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Dicran Halajian on 8-7-2007. The changes made below are underlined, and deletions are in brackets [].

The Claims are amended as follows;

-- 5. (Currently Amended) The irradiation device as claimed in claim [5] 6, wherein the device comprises a sun-tanning device. --

-- 6. (New) An irradiation device comprising:

a base;

a support longitudinally extending from the base; and

a housing comprising at least one radiation unit and a radiation emission plane; and

a shaft which pivotally connects the housing to the support;
the housing being pivotable between an operational position
where the radiation emission plane is horizontal, and a rest
position where the radiation emission plane is vertical;

wherein the housing is movable between the operational
position and the rest position with a single rotation of the shaft
about a pivot axis extending through the shaft; and a gear system at the
connection point of the support to the housing. --

-- 11. (New) An irradiation device comprising:

a base;

a support extending from the base; and

a housing comprising at least one radiation unit and having a
longitudinal axis; and

a shaft which pivotally connects the housing to the support;
the housing being pivotable between a rest position where the
longitudinal axis is substantially parallel to the support and an
operational position where the longitudinal axis is not
substantially parallel with the support;

wherein the housing is movable between the operational
position and the rest position with a single rotation of the shaft

about a pivot axis extending through the shaft; and a gear system at the connection point of the support to the housing. --

Cancel claims 1-4

Allowable Subject Matter

3. Claims 5-15 are allowed.

Examiner's statement of reasons for allowance

The following is an examiner's statement of reasons for allowance:

4. Claims 6 and 11 are allowed because prior art fails to show a lamp having a base; a support; a shaft; and a pivotable housing; where the housing is movable between an operational position and a rest position with a single rotation of the shaft about a pivot axis extending through the shaft; and a gear system at the connection point of the support to the housing.

5. Claims 5,7-10, and 12-15 are allowed by virtue of their dependency upon allowed claims 6 and 11.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

6. Any inquiry concerning this communication or earlier communications should be directed to Phillip Johnston whose telephone number is (571) 272-2475. The examiner can normally be reached on Monday-Friday from 7:30 am to 4:00 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiners supervisor Robert Kim can be reached at (571) 272-2293. The fax phone number for the organization where the application or proceeding is assigned is 571 273 8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PJ
August 13, 2007


DAVID VANORE
PRIMARY PATENT EXAMINER

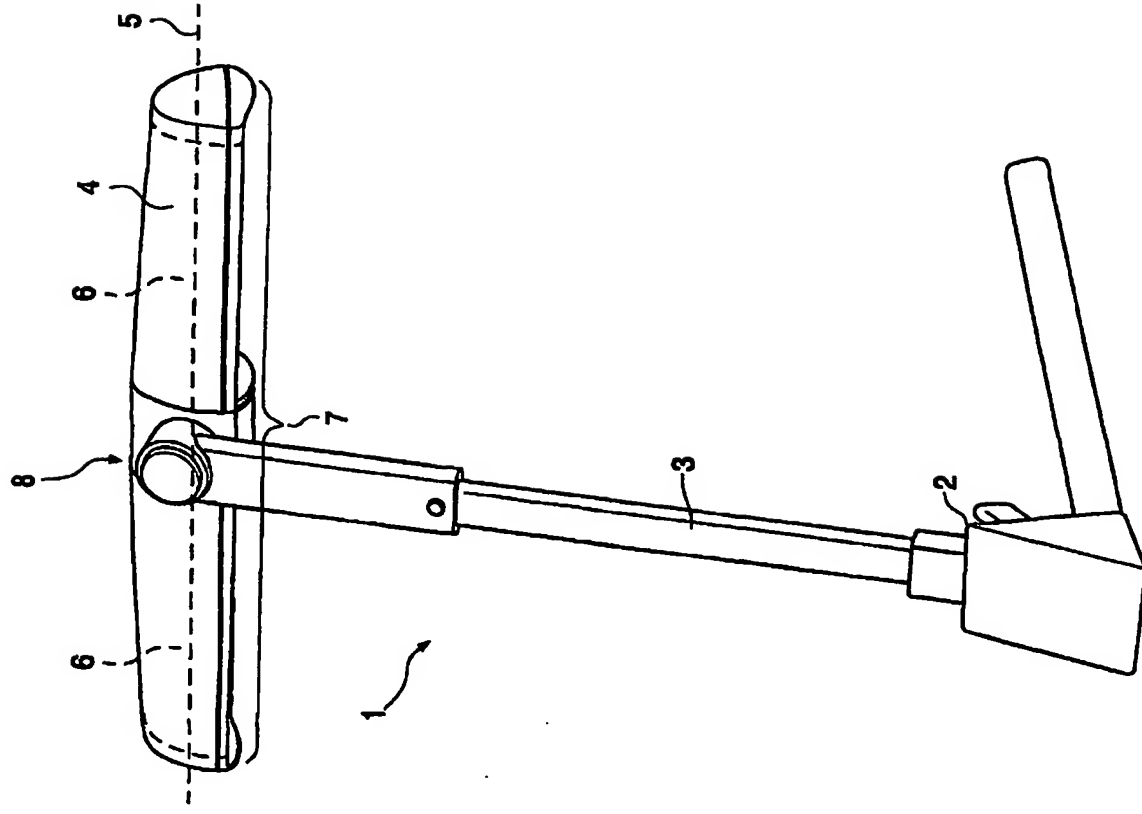


FIG. 1

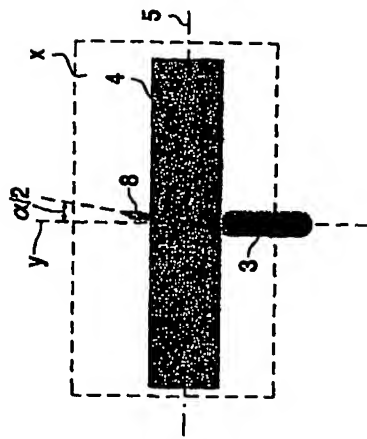


FIG. 2a

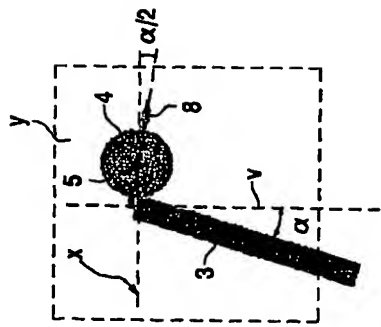


FIG. 2b

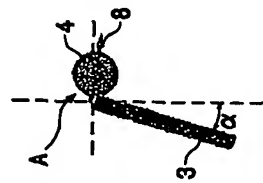


FIG. 3a

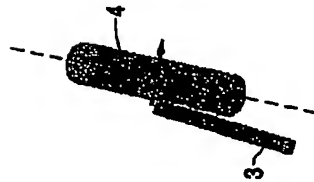


FIG. 3b

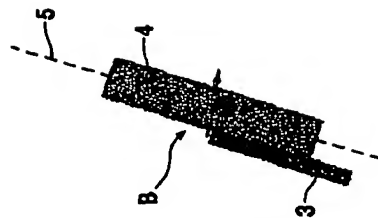
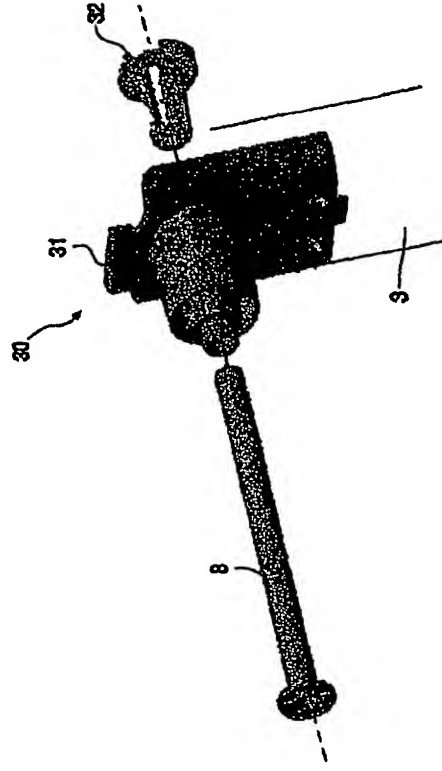
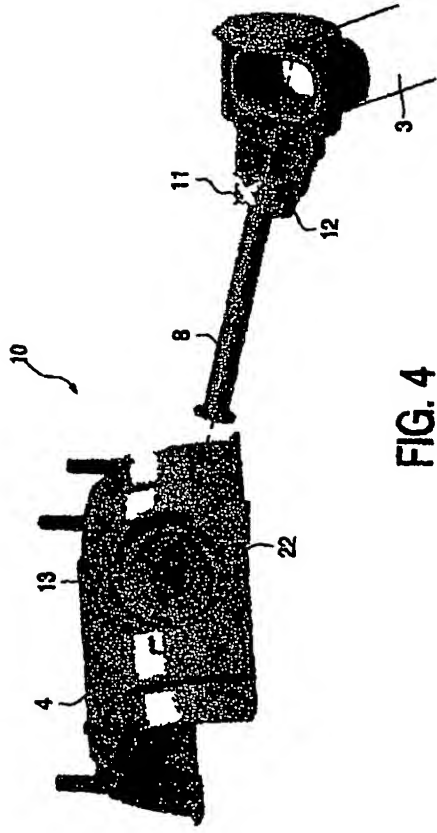


FIG. 3c



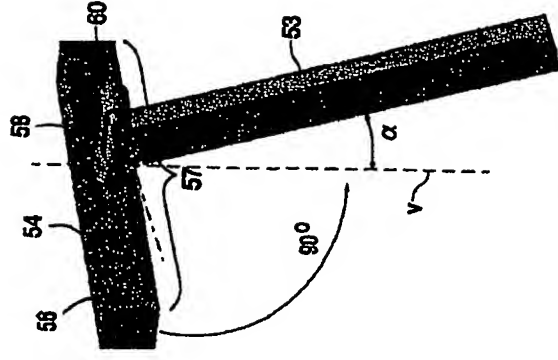


FIG. 6a

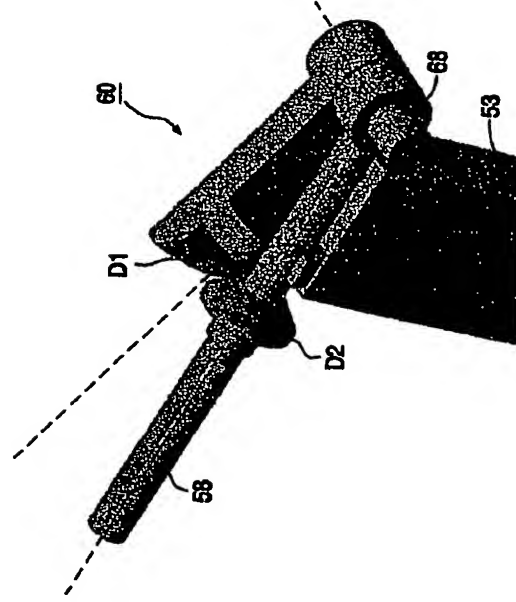


FIG. 6b